

1 Matthew L. Johnson (6004)
2 JOHNSON & GUBLER, P.C.
3 8831 W. Sahara Avenue
4 Las Vegas, Nevada 89117
5 Telephone: (702) 471-0065
6 Facsimile (702) 471-0075
7 mjohnson@mjohnsonlaw.com
8 Bankruptcy Counsel for Debtor

9 D. Lee Roberts, Jr., Esq. (8877)
10 Matthew I. Kramer, Esq. (15261)
11 Sebastian Cribari, Esq. (15888)
12 WEINBERG, WHEELER, HEDGINS,
13 GUNN & DIAL, LLC
14 6385 South Rainbow Blvd., Suite 400
15 Las Vegas, Nevada 89118
16 Telephone: (702) 938-3838
17 Facsimile: (702) 938-3864
18 lroberts@wwhgd.com
19 scribari@wwhgd.com

20 *Proposed Special Litigation Counsel for Plaintiff 21st Century
21 Communities Inc., FCT-MM, LLC, and FCT-SM, LLC*

WEINBERG WHEELER
HEDGINS GUNN & DIAL



12
13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 21st CENTURY COMMUNITIES, INC., FCT-
16 MM, LLC, and FCT-SM, LLC,

17 Case No. 2:24-cv-00131-CDS-MDC

Plaintiffs

18 vs.

19 FALLBROOK CAPITAL SECURITIES
20 CORPORATION; FMI ASSET
21 MANAGEMENT, LLC; ROSE EATON, an
individual; BRANDT BLANKEN, an individual;
IDACORP FINANCIAL SERVICES, INC.;
DOES I-X; and ROE CORPORATIONS I-X,

Defendants

**STIPULATION AND ORDER TO
EXTEND DEADLINES RELATING TO
MOTION TO DISMISS**

(First Request)

22
23 Plaintiffs 21st Century Communities, Inc., FCT-MM, LLC, and FCT-SM, LLC
24 (collectively, “Plaintiffs”), and Defendants Fallbrook Capital Securities Corporation, FMI Asset
25 Management, LLC, Rose Eaton, Brandt Blanken, and Idacorp Financial Services, Inc. (collectively,
26 “Defendants”) (together with Plaintiffs, the “Parties”) by and through their respective undersigned
27 counsel, hereby respectfully submit this Stipulation and Order to extend all deadlines relating to
28 Defendants’ pending Motion to Dismiss. (ECF No. 7).

STIPULATION

The Parties hereby stipulate that all deadlines relating to Defendants' pending Amended Motion to Dismiss or in the Alternative to Transfer to United States District Court for Western District of Tennessee, filed February 2, 2024 (the "Motion"), (ECF No. 7), shall be extended by two weeks. Specifically, Plaintiffs' deadline to respond to the Motion shall be extended until March 1, 2024, and Defendants' deadline to reply to the response shall be extended accordingly.

The Parties have recently engaged in productive discussions regarding a resolution of the issues relating to this action and Defendants' Motion. However, this extension of time is needed to allow the Parties time to finalize their plan of action relating to those issues.

The requested extension is made in good faith and is not for purposes of delay. This is the first stipulation for extension of time relating to Defendants' Motion.

The Parties waive no rights, claims, or defenses by this Stipulation.

IT IS SO STIPULATED.

Dated this 16th day of February, 2024.

Dated this 16th day of February, 2024.

/s/ Sebastian Cribari

D. Lee Roberts, Jr., Esq.

Matthew I. Kramer, Esq.

Sebastian Cribari, Esq.

WEINBERG, WHEELER

GUNN & DIAL, LLC

6385 S. Rainbow Blvd

Las Vegas, NV 89118

Proposed Special Litigation Counsel for Plaintiffs 21st Century Communities, Inc., FCT-SM, LLC, and FCT-MM, LLC

/s/ R. Christopher Reade (w/ permission)

Timothy S. Cory, Esq.

Nevada Bar No. 001972

R. Christopher Reade, Esq.
N.Y. Bar No. 006701

Nevada Bar No. 006791
CORY READE DOWS

CORI READE DOWS AND SHAFER
1333 North Buffalo Drive, Suite 210

1555 North Buffalo Drive, Suite 210
Las Vegas, Nevada 89128

Las Vegas, Nevada 89120
(702) 794-4411

*Attorneys for Defendants IDACORP
FINANCIAL SERVICES, INC., FALLBROOK
CAPITAL SECURITIES CORPORATION,
FMI ASSET MANAGEMENT, LLC and ROSE
EATON*

IT IS SO ORDERED:

United States District Judge

Dated: February 21, 2024